



02/20/2019

United Systems, Inc
5700 N Portland Ave, Ste 201
Oklahoma City, OK 73112

Phone: 405-778-8321
Contact: Kylie Nyquist
Title: Accounting Manager

SPIN# 143004698

To whom it may concern,

We are filing a Waiver Request for the following:

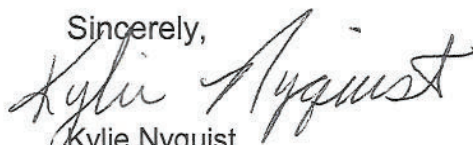
Seiling Indep School Dist 8
FRN 1799087372
471# 171037046

Equipment and Installation of the product funded was delivered and installed to the customer in September 2018. This should have been invoiced to the Schools and Libraries Division before 01/28/2019. This was an oversight on our part. United Systems is requesting a Waiver from the FCC in order to proceed with an Invoice Deadline Extension Request with USAC. Please see the documentation attached with this request.

Funds for Learning - FRN Summary

United Systems Sales Order to be invoiced to the customer and Schools and Libraries Division.

Sincerely,


Kylie Nyquist
Accounting & HR Manager


Relationships Through Service

5700 N Portland Ave. Ste. 201, Oklahoma City, OK 73112
405.523.2162 Office | 405.778.8321 Direct | 405.523.2185 Fax

April 27, 2019

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Filed Electronically via ECFS

CC Docket No. 02-6

RE: Appeal - Request for Reconsideration of Decision and Waiver of Commission Rules

Organization: United Systems, Inc
5700 N Portland, Suite 201
Oklahoma City, OK 73112
Contact: Alvin Myers
E-mail: amyers@unitedsystemsok.com
Phone: 405-778-8305
Fax: 405-523-2185
Title: President/COO
SPIN: 143004698

Applicant: Seiling Indep School Dist 8
BEN: 139942
Form 471: 171037046
FRN: 1799087372

Decision being appealed: FCC Denial of Appeal for Invoice Deadline Extension

Dear Secretary Dortch,

United Systems, Inc respectfully submits this request in accordance with the procedure designated by the Commission and after following suggested prior remedies.

Reason for Request

The original FCC Appeal for Request of Waiver was submitted on February 20, 2019 and was denied by the Commission in Public Notice DA 19-213 dated March 29, 2019. A Waiver of Commission Rules is needed to allow valid and eligible products and services, that were

delivered to the Applicant by the Services Delivery Deadline, to be submitted to USAC-SLD Invoicing. Additionally, if this Appeal is not granted, it will create significant hardship on our company, which is a small business entity employing 30 people.

Background

United Systems, Inc delivered eligible and funded, products and services to the Applicant prior to the Services Delivery Deadline of 09/30/2018, in accordance with USAC-SLD Program Rules. These products and services were a small portion of a larger new school construction project that was significantly delayed. In addition, the construction project dictated progress invoicing for elements of the project that were not related to USAC-SLD Funding. Progress invoicing uses a percentage of completion approach to requests for payment and does not list detailed product or services. The projects and operations team who was responsible for progress invoicing of the overall project did not realize that there was a separate USAC-SLD invoicing component that had a strict deadline and required detailed invoicing. On February 20, 2019, final invoicing for the overall project was being reviewed by the projects, operations and accounting team for our company. At this time the discovery of the failure to invoice USAC-SLD for the eligible and funded components was made. When this discovery was made, we were past the Invoice Deadline of January, 28, 2019 by 22 days. Our accounting team immediately contacted the Client Services Bureau at USAC-SLD to receive guidance on how to resolve this issue. They were advised that the only option was to file an FCC Appeal for Waiver of Commission Rules. This action was taken immediately, and on March 29, 2019, a decision of Denied was issued related to our request. We are now respectfully requesting reconsideration of this decision and a related waiver of commission rules that will allow the Invoice Deadline to be extended and the invoices to be submitted and paid.

Additional Information

United Systems, Inc has been a Service Provider participating in the USAC-SLD USF program since the program's inception. During this long period, we believe there has only been one other request by us for a Waiver of the Rules, and that was due to circumstances outside of our control. I only mention this to exhibit that we take great measures internally to meet deadlines, request extensions of the deadlines and comply with rules of the program, and, generally be good stewards of the program.

We feel that that this failure to meet the Invoicing Deadline could be considered an extraordinary circumstance due to the delay of the construction project and the progress invoicing approach related to it.

I would also like to request that you consider the minimal number of days (22) that we were past the Invoicing Deadline before discovering the error and trying to rectify it.

The products and services that we are unable to receive payment for due to the Invoice Deadline had to be purchased, they are not items we manufacture. Therefore, the costs associated to them are a real impact to us. The USAC-SLD program has continued to promote competitive bidding, which means that we have limited profit margins in this and all other USAC-SLD projects. There is no way for us to just absorb these costs without it being detrimental to our company.

If this Waiver is not granted, it will place a significant financial hardship on our company, which as mentioned above is a Small Business entity and employs 30 people.

We understand the Commission's stance on participants in the program needing to know and abide by the rules, as well as deal with deadlines on a timely basis. We take all of these expectations seriously. At the same time, we humbly ask you to consider the expediency in which we tried to deal with the issue once we were aware of it, and the truly detrimental impact a denial of this request will have on our Small Business entity.

We respectfully request that the Waiver is granted with an invoice deadline extension date that would allow us to get the invoice submitted and processed.

If you do have any concerns or questions about this request, please feel free to contact me directly at 405-778-8305, or by email at amyers@unitedsystemsok.com.

Thank you for your consideration of our request.

Sincerely,



Alvin Myers
President and Chief Operating Officer

Attachments:

Original FCC Appeal Filing



FEMA

Oklahoma Wildfires (DR-4373)

[Navigation](#)
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Incident Period: April 11, 2018 - April 20, 2018
Major Disaster Declaration declared on June 25, 2018

Oklahoma Wildfires
(DR-4373)
(/disaster/4373)

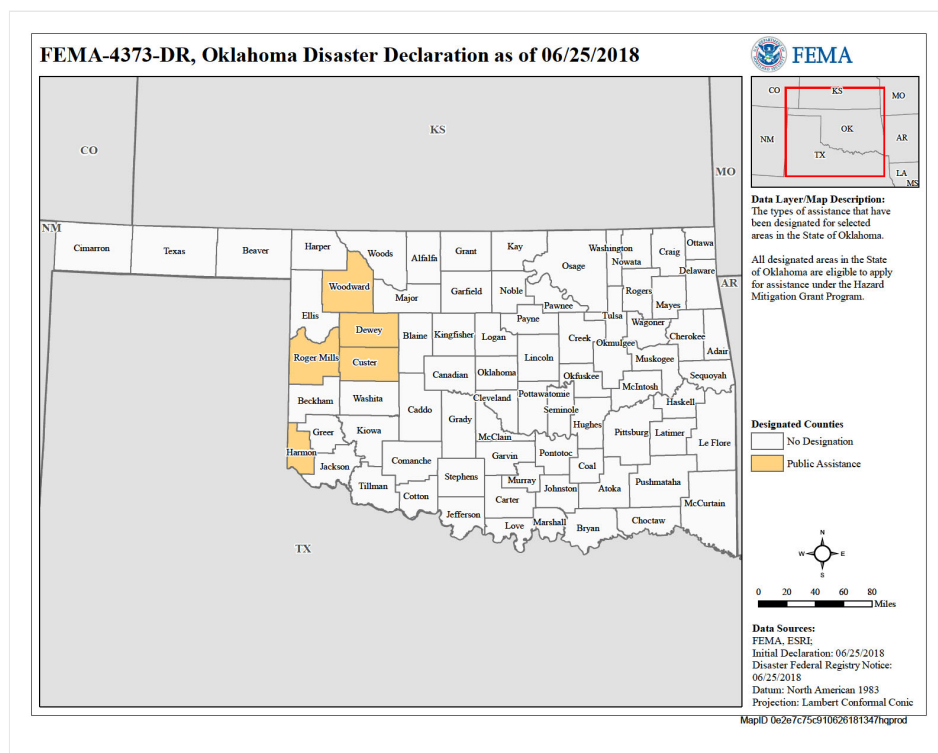
Designated Areas
(/disaster/4373/designated-areas)

Disaster Federal
Register Notices
(/disaster/4373/notices)

Individual Assistance
Declaration Factors
(/individual-assistance-declaration-factors)

FOIA Statistics
(/disaster/4373/foia)

News
(/disaster/4373/updates-blog-and-news)



[PDF of Map \(//gis.fema.gov/maps/dec_4373.pdf\)](https://gis.fema.gov/maps/dec_4373.pdf) [Google Earth \(//gis.fema.gov/maps/dec_4373.kmz\)](https://gis.fema.gov/maps/dec_4373.kmz) [Need help with this map? \(/webform/ask-question\)](https://webform.ask-question)

Total Public Assistance Grants
Dollars Obligated: \$5,294,976.59

[Expand All Sections](#)

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> Related Links

Last Updated: 2018-06-25 04:00



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([https://www.linkedin.com/shareArticle?](https://www.linkedin.com/shareArticle?mini=true&url=https://www.fema.gov/disaster/4373&title=Oklahoma)

[mini=true&url=https://www.fema.gov/disaster/4373&title=Oklahoma Wildfires \(DR-4373\)&summary=&source=](https://www.fema.gov/disaster/4373&title=Oklahoma Wildfires (DR-4373)&summary=&source=))



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<https://www.fema.gov/disaster/4373> [Office of the Inspector General \(/www.oig.dhs.gov/\)](#) [Strategic Plan \(/strategic-plan\)](#) [Whitehouse.gov \(/www.whitehouse.gov\)](#)

[DHS.gov \(/www.dhs.gov\)](#) [Ready.gov \(/www.ready.gov\)](#) [USA.gov \(/www.usa.gov\)](#) [DisasterAssistance.gov \(/https://www.disasterassistance.gov/\)](#)

[https://www.fema.gov/disaster/4373&name=Oklahoma Wildfires \(DR-4373\)&description=](https://www.fema.gov/disaster/4373&name=Oklahoma+Wildfires+(DR-4373)&description=)

[Strategic Plan \(/strategic-plan\)](#) [Whitehouse.gov \(/www.whitehouse.gov\)](#)

[DHS.gov \(/www.dhs.gov\)](#) [Ready.gov \(/www.ready.gov\)](#) [USA.gov \(/www.usa.gov\)](#) [DisasterAssistance.gov \(/https://www.disasterassistance.gov/\)](#)

[DisasterAssistance.gov \(/https://www.disasterassistance.gov/\)](#)

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(<https://www.oig.dhs.gov/hotline>)



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President Donald J. Trump Approves Major Disaster Declaration for Oklahoma

Release date: June 25, 2018

Release Number: HQ-18-068

WASHINGTON – The Federal Emergency Management Agency (FEMA) announced today that federal disaster assistance has been made available to the state of Oklahoma to supplement state, tribal, and local recovery efforts in the areas affected by wildfires from April 11 to April 20, 2018.

Federal funding is available to the state, tribal, and eligible local governments and certain private nonprofit organizations on a cost-sharing basis for emergency work and the repair or replacement of facilities damaged by wildfires in Custer, Dewey, Harmon, Roger Mills, and Woodward counties.

Federal funding is also available on a cost-sharing basis for hazard mitigation measures throughout the state.

Traci L. Brasher has been named as the Federal Coordinating Officer for federal recovery operations in the affected area. Brasher said additional designations may be made at a later date if warranted by the results of further damage assessments.

#

FEDERAL AID PROGRAMS FOR THE STATE OF OKLAHOMA

Following is a summary of key federal disaster aid programs that can be made available as needed and warranted under President Donald J. Trump's disaster declaration issued for the

state of Oklahoma.

Assistance for State, Tribal, and Affected Local Governments
Can Include as Required:

- Payment of not less than 75 percent of the eligible costs for emergency protective measures taken to save lives and protect property and public health. Emergency protective measures assistance is available to state, tribal and eligible local governments on a cost-sharing basis. (Source: FEMA funded, state administered.)
- Payment of not less than 75 percent of the eligible costs for repairing or replacing damaged public facilities, such as roads, bridges, utilities, buildings, schools, recreational areas, and similar publicly owned property, as well as certain private non-profit organizations engaged in community service activities. (Source: FEMA funded, state administered.)
- Payment of not more than 75 percent of the approved costs for hazard mitigation projects undertaken by state, tribal, and local governments to prevent or reduce long-term risk to life and property from natural or technological disasters. (Source: FEMA funded, state administered.)

How to Apply for Assistance:

Application procedures for state, tribal, and local governments will be explained at a series of applicant briefings with locations to be announced in the affected area by recovery officials. Approved public repair projects are paid through the state from funding provided by FEMA and other participating federal agencies.

FEMA's mission is helping people before, during, and after disasters.

Follow FEMA online at www.fema.gov/blog (/blog),
www.twitter.com/fema (<http://www.twitter.com/fema>),
www.twitter.com/femaspoX (<http://www.twitter.com/femaspoX>),

www.facebook.com/fema (<http://www.facebook.com/fema>) and www.youtube.com/fema (<http://www.youtube.com/fema>). Also, follow Administrator Brock Long's activities at www.twitter.com/fema_brock (http://www.twitter.com/fema_brock).

Last Updated: June 27, 2018 - 11:02

Related Disaster(s): [4373 \(/disaster/4373\)](/disaster/4373)

Related State(s):

[Headquarters \(/fema-regions/headquarters\)](/fema-regions/headquarters)

[Region VI \(/fema-regions/region-vi\)](/fema-regions/region-vi)

[Oklahoma \(/fema-regions/oklahoma\)](/fema-regions/oklahoma)



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<https://www.oig.dhs.gov/hotline>

Official website of the Department of Homeland Security

Seiling Es Seiling, OK 73663

Seiling Es - School Profile

Seiling Es

Physical Location
 100 N Elm
 Seiling, OK 73663-3663

Mailing Address
 Post Office Box 780
 Seiling, OK 73663-3663

Phone: (580) 922-7381

School Type: Regular
 School Level:
 School Status: Operational

School District: [Seiling](#)
 County: Dewey

Location: Rural, Remote

Enrollment Information (2015-2016 school year)

Students: 243
 Teachers: 19
 Student-Teacher Ratio: 12.5 to 1

Lowest Grade in School: Pre-Kindergarten
 Highest Grade in School: 06

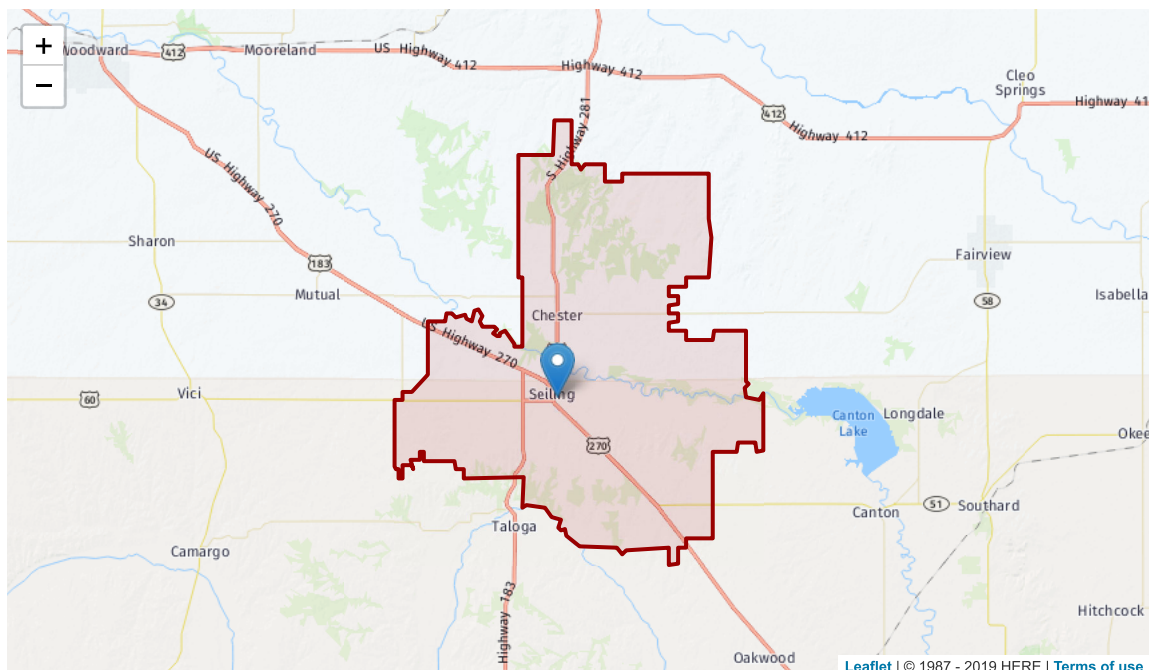
Students by Grade

Pre-K: 24
 Kindergarten: 28
 Grade 1: 25
 Grade 2: 32
 Grade 3: 32
 Grade 4: 28
 Grade 5: 37
 Grade 6: 33
 Ungraded Students: 4

Helpful Resources

- [Hotels Near Seiling Es](#)
- [Other Schools in the Seiling, OK Area](#)
- [Seiling, OK Area Information](#)

Seiling Es - School Boundaries Map (School Attendance Zone)



[BIG Map](#) | [Driving Directions](#)

Input a Home Address - Find the School Zones (& Other Data)

Boundary Maps, Demographic Data, School Zones

Review boundary maps and recent demographic data for the **neighborhood**, city, county, ZIP Code, and school zone. July 1, 2018, data includes **home values**, **household income**, **percentage of homes owned**, **rented or vacant**, etc.

Nearby Public Schools (within a 15-mile radius)

[Seiling Jr-Sr Hs \(Jr\), OK](#) (< 0.1 mile)

[Taloga Hs, OK](#) (8 miles SSW)

[Seiling Jr-Sr Hs \(Sr\), OK](#) (< 0.1 mile)

[Taloga Es, OK](#) (8 miles SSW)

Nearby Private Schools (within a 15-mile radius)

No other private schools within a 15 miles radius found.

Quick & Easy Ways to...

1. [Get Current Demographic Data for Cities, Towns, and ZIP Codes](#)
2. [View Boundary Maps, for Cities, Towns, and ZIP Codes](#)
3. [Locate Physical, Cultural, and Historical Features](#)
4. [Research Public Schools & Attendance Zones](#)

Oklahoma Census Data Comparison Tool

Compare Oklahoma July 1, 2018 Data

Data: ☒ Population ☐ Population Density ☐ Diversity Index ☐ Average Household Income ☐ Per Capita Income

Locations: ☒ Cities & Towns ☐ Counties ☐ ZIP Codes

Highest or Lowest: ☒ Show Highest Values ☐ Show Lowest Values

Results: ☒ Show 20 Results ☐ Show 200 Results



United Systems, Inc.
5700 N Portland Ave. Ste. 201
Oklahoma City, OK 73112
(405) 523-2162

PAID

Date	Invoice
02/20/2019	40129
Account	
Seiling Ind School Dist 8	

Bill To:
Seiling Ind School Dist 8 Attn: Patience Smart P.O. Box 780 Seiling, OK 73663

Ship To
Seiling Ind School Dist 8 Attn: Randy Seifried P.O. Box 780 Seiling, OK 73663

Terms	Due Date	PO Number	Reference	
Due Upon Receipt	02/20/2019	FRN 1799087372 / PO 2019-11-16	Order #4099	
E-Rate YR20 Funding Year 2017				

Other Charges	Quantity	Price	Amount
Billable Other Charges			
AH-ERATE-NGCS-5YR-550-FCC: AP550, FCC, 5 years Select support, manufacturer's standard warranty and five (5) year subscription for HiveManager NG Online. Serial Number(s): 05501807131295, 05501807131303, 05501807131309, 05501807131323, 05501807131330, 05501807131354, 05501807131359, 05501807131362, 05501807131367, 05501807131375, 05501807131377, 05501807131388, 05501807131408, 05501807131423, 05501807131429, 05501807131436, 05501807131438, 05501807131463, 05501807131472, 05501807131482, 05501807131530, 05501807131544, 05501807131545, 05501807131576	24.00	826.35	19,832.40
AH-ERATE-NGCS-5YR-250-FCC: AP250, FCC, 5 years Select support, manufacturer's warranty, and five (5) year subscription for HiveManager NG Online. Serial Number(s): 02501807090012, 02501807090031, 02501807090036, 02501807090085, 02501807090107, 02501807090121, 02501807090127, 02501807090128, 02501807090129, 02501807090141, 02501807090173, 02501807090178, 02501807090427, 02501807090529, 02501807090556, 02501807090644, 02501807090723, 02501807090828, 02501807090903, 02501807090909, 02501807090985, 02501807090986, 02501807160969, 02501807161006, 02501807161145	25.00	599.06	14,976.50
Installation-Network Equipment: USI Installation	25.00	165.00	4,125.00
Travel: USI Travel	2.00	125.00	250.00
Shipping: USI Shipping	1.00	125.00	125.00
Total Other Charges:			39,308.90

E-Rate YR20 Funding Year 2017
FRN 1799087372
471# 171037046

School's 20% Portion Owed: \$7,861.78
SLD's 80% Portion Owed: \$31,447.12
Total Amount: \$39,308.90

Please make checks payable to United Systems, Inc.

Invoice Subtotal:	39,308.90
Sales Tax:	0.00
Invoice Total:	39,308.90
Payments:	-39,308.90
Credits:	0.00
Balance Due:	0.00

"Relationships Through Service"

Thank you for your business!